IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 1180 OF 2006
IN
SUIT NO. 1172 OF 2005

VIKAS K. WALAWALKAR ..PLAINTIFF
V/S
DY. SALT COMMISSIONER &
ORS. ..DEFENDANTS

AMIT S. MEHTA I/B MAHIMTURA & CO. FOR PLAINTIFF.
B.A. DESAI, ADDL. SOLICITOR GENERAL WITH S.R. RAJGURU FOR DEFENDANT NOS. 1 & 2 IN SUPPORT OF CHAMBER SUMMONS.

CORAM : S.K. SHAH, J.
DATE : 8TH NOVEMBER,2006.

P.C.

. Heard learned counsel on both sides. This Chamber Summons is taken out by the defendant Nos. 1 and 2 seeking amendment to the written statement. Learned counsel for the defendants submits that he is not pressing for clause (a) and (c) of the Schedule but he is pressing only clause (b) wherein it was sought that the provisions of Government Grants Act, 1895, is applicable and it

is stated that as per the provisions, the possession taken is valid. This will not change the nature of the suit. Hence the Chamber Summons is allowed and made absolute in terms of prayer clause (a) restricted to para 38(b) only. The necessary amendment shall be carried out within a period of 3 weeks from today.

. S.O. for 3 weeks.

(S.K. SHAH, J.)